# Keating, Debbie

From:

Keating, Debbie

Sent:

Thursday, January 23, 2014 2:16 PM

To:

Felitti, Peter

Subject:

RE: Cost Recovery Question (Nutronics, Inc. Site)

Thanks, Peter. I left a voice mail earlier for Tom Krueger but have not yet heard back. Then I remembered you would likely know. I asked Mila but she wasn't sure either. I appreciate your quick reply!

Debbie

From: Felitti, Peter

Sent: Thursday, January 23, 2014 1:59 PM

To: Keating, Debbie

Subject: RE: Cost Recovery Question (Nutronics, Inc. Site)

Debbie,

I guess it goes to who paid ATSDR. If the costs they incurred were out of their own budget than no we would not seek recover. If it was grant money that we gave them that is charged for the specific site, then we probably would. But as this is a close out, and if you already have an ICS I would use that.

Peter

From: Keating, Debbie

Sent: Thursday, January 23, 2014 1:56 PM

To: Felitti, Peter

**Subject:** Cost Recovery Question (Nutronics, Inc. Site)

Peter: I am working on a close out for a site having unrecovered costs of approximately \$412,000. The ICS did not include costs for ATSDR and we were asked if we wanted one run to include those costs. Do you know if we would normally include those costs in a demand letter? Is it policy to try to recover costs on behalf of ATSDR?

The type of close out memo I write will depend upon whether the costs go over \$500K or not.

Thanks, Debbie (3-7632)

US EPA RECORDS CENTER REGION 5
472826

# Keating, Debbie

From:

Turner, Thomas

Sent: To: Thursday, January 23, 2014 1:49 PM

Keating, Debbie

Subject:

**RE: Nutronics - ICS Question** 

Thanks Debbie. That approach makes the most sense. -Tom T.

From: Keating, Debbie

Sent: Thursday, January 23, 2014 1:47 PM

To: Turner, Thomas

Subject: RE: Nutronics - ICS Question

Tom: I honestly don't know what the policy requirements are for this. I don't know whether we would normally demand costs for ATSDR or not. I'm currently asking around & also waiting for some return calls. I'll let you know what I find out. Debbie

From: Turner, Thomas

Sent: Thursday, January 23, 2014 1:12 PM

To: Keating, Debbie

**Subject:** RE: Nutronics - ICS Question <...

Debbie: How can we exclude <u>any</u> costs that are part of the Site? (Seriously, if it is a standard practice to exclude ATSDR costs then we can follow that protocol). Anyway, I would rather use a streamlined approach if we can-but our first priority is to follow the proper Agency law and policy requirements. I hope this is helpful. Please let me know. Thanks. Tom Turner LAN or 6-6613

From: Keating, Debbie

Sent: Thursday, January 23, 2014 1:03 PM

**To:** Turner, Thomas

Subject: Nutronics - ICS Question

Hi Tom,

Working on Nutronics again and looked at the ICS dated Jan. 9 again. Michael Bednarz had asked if we also wanted ATSDR costs included. The unrecovered costs are \$411,651.11.

For sites with unrecovered costs under \$500K we can now write a more streamlined CO memo. Provided there isn't a new property owner to contact, I could get the memo drafted fairly quickly. If we need to include ATSDR costs it might drive the total over \$500K, which would require a full-blown CO memo.

Please advise and in the meantime I will look into who the current owner is. If our information about the site hasn't changed, we might not have to meet (unless, of course, you wanted to) and I could then start drafting the expedited CO memo for your review. Let me know what you think.

Thanks, Debbie (3-7632)



Re: Nutronics. Inc. (IL) - Cost Recovery

10/22/2012 09:17 AM

Debbie Keating to: Thomas Turner

Cc: FREDRICK MICKE

From:

Debbie Keating/R5/USEPA/US

To:

Thomas Turner/R5/USEPA/US@EPA,

Cc:

FREDRICK MICKE/R5/USEPA/US@EPA

I'll look into how we can find out. We are quickly losing our CI support thanks to our Branch Chief, but we still have other resources and I can certainly send a 104(e) if needed.

Debbie Keating, Enforcement Specialist SFD/ECAB/ESS 1 (312) 353-7632

-----Thomas Turner/R5/USEPA/US wrote: ----To: Debbie Keating/R5/USEPA/US@EPA
From: Thomas Turner/R5/USEPA/US

Date: 10-22-2012 8:18 AM

Cc: FREDRICK MICKE/R5/USEPA/US@EPA Subject: Nutronics. Inc. (IL) - Cost Recovery

Hi. I had my case status review on Friday and my Section Chief said that For our attempts at cost recovery in Nutronics, we should first find out how much the State of IL paid to the Darrans; and determine whether it was market value (or less) for the property. I would recommend either a call from one of our Cls to the IL Dept. of Transportation, or a direct CERCIA 104e to IDOT or the Darrans. Thanks. Tom Turner

Re: Nutronics. Inc. (IL) - Cost Recovery



Re: Nutronics

Thomas Turner to: Debbie Keating

Cc: FREDRICK MICKE

From:

Thomas Turner/R5/USEPA/US

To:

Debbie Keating/R5/USEPA/US@EPA,

Cc:

FREDRICK MICKE/R5/USEPA/US@EPA

Again, thanks. -TomT.

**Debbie Keating** 

I will request an ICS.

Debbie Keating, Enforc...

10/18/2012 02:51:28 PM

10/18/2012 02:56 PM

From:

Debbie Keating/R5/USEPA/US

To: Cc: Thomas Turner/R5/USEPA/US@EPA, FREDRICK MICKE/R5/USEPA/US@EPA

Date:

10/18/2012 02:51 PM

Subject:

Re: Nutronics

I will request an ICS.

Debbie Keating, Enforcement Specialist SFD/ECAB/ESS 1 (312) 353-7632

----Thomas Turner/R5/USEPA/US wrote: -To: FREDRICK MICKE/R5/USEPA/US@EPA

From: Thomas Turner/R5/USEPA/US

Date: 10-17-2012 3:52 PM

Cc: Debbie Keating/R5/USEPA/US@EPA

Subject: Re: Fw: Nutronics

Possibly. Except that they were reportedly subsisting on essentially Social Security (with medical issues). But we can certainly issue them a formal demand letter. Debbie, would you please order an ICS from Darius Taylor for current costs. Then, we should prepare a demand letter (and have our Financial analyst lined up.) Thanks Fred and Debbie. Tom Turner

FREDRICK MICKE---10/17/2012 03:49:17 PM---The 3 properties were purchased to straighten out the street (Peoria Rd.) The intersection and the

From: FREDRICK MICKE/R5/USEPA/US To: Thomas Turner/R5/USEPA/US@EPA, Cc: Debbie Keating/R5/USEPA/US@EPA

Date: 10/17/2012 03:49 PM Subject: Re: Fw: Nutronics

The 3 properties were purchased to straighten out the street (Peoria Rd.) The intersection and the curve in the road created a high accident area. I have not seen what the new road design looks like.

Given that the State paid the original owners for the property, would they now have the ability to pay?

Re: Nutronics

Thomas Turner---10/17/2012 03:33:02 PM---Thanks Fred. We will not be pursuing the original owners ( no ATP); I doubt if the State is a PRP i

From: Thomas Turner/R5/USEPA/US

To: FREDRICK MICKE/R5/USEPA/US@EPA, Cc: Debbie Keating/R5/USEPA/US@EPA

Date: 10/17/2012 03:33 PM Subject: Re: Fw: Nutronics

Thanks Fred. We will not be pursuing the original owners (no ATP); I doubt if the State is a PRP if they followed the proper channels under CERCLA 101(35) and 107. We may want to think about a CERCLA lien on the property (if the IL DOT ever sells it). That is my legal advice at this point. -Tom Turner

FREDRICK MICKE---10/17/2012 03:28:28 PM---Just an update. The property was purchased by the State and recently demoed. ----- Forwarded by FRE

From: FREDRICK MICKE/R5/USEPA/US

To: Debbie Keating/R5/USEPA/US@EPA, Thomas Turner/R5/USEPA/US@EPA,

Date: 10/17/2012 03:28 PM Subject: Fw: Nutronics

Just an update. The property was purchased by the State and recently demoed. ----- Forwarded by FREDRICK MICKE/R5/USEPA/US on 10/17/2012 03:26 PM -----

From: "Jansen, David" < David.Jansen@Illinois.gov>
To: FREDRICK MICKE/R5/USEPA/US@EPA,

Date: 10/17/2012 02:41 PM

Subject: Nutronics

FYI – update on Nutronics.[attachment "Nutronics 121016 memo.docx" deleted by Thomas Turner/R5/USEPA/US] [attachment "1671200054~09252012.doc" deleted by Thomas Turner/R5/USEPA/US] [attachment "1671200054~10112012.doc" deleted by Thomas Turner/R5/USEPA/US] [attachment "Nutronics aerial photo.docx" deleted by Thomas Turner/R5/USEPA/US]

Re: Nutronics



Re: Nutronics, Inc. (IL) SF Site - Cost Recovery

Thomas Turner to: Debbie Keating

Cc: FREDRICK MICKE

10/18/2012 02:55 PM

From:

Thomas Turner/R5/USEPA/US

To:

Debbie Keating/R5/USEPA/US@EPA,

Cc:

FREDRICK MICKE/R5/USEPA/US@EPA

## Thanks Debbie.

Debbie Keating Tom, I'd have to look at my site file. I'm on flexi... 10/18/2012 02:53:49 PM

From:

Debbie Keating/R5/USEPA/US

To:

Thomas Turner/R5/USEPA/US@EPA, FREDRICK MICKE/R5/USEPA/US@EPA

Cc: Date:

10/18/2012 02:53 PM

Subject:

Re: Nutronics, Inc. (IL) SF Site - Cost Recovery

## Tom,

I'd have to look at my site file. I'm on flexi today and don't have it with me. I can check tomorrow and let you know.

Debbie Keating, Enforcement Specialist SFD/ECAB/ESS 1 (312) 353-7632

----Thomas Turner/R5/USEPA/US wrote: ----

To: FREDRICK MICKE/R5/USEPA/US@EPA, Debbie Keating/R5/USEPA/US@EPA

From: Thomas Turner/R5/USEPA/US

Date: 10-17-2012 4:02 PM

Subject: Nutronics, Inc. (IL) SF Site - Cost Recovery

One thing that we need to establish before we issue a demand letter. Did we name the company ('national Engraving and Nutronics, Inc.') as the sole PRP? Or, did we name Albert and Sharron Darran - the sole owners/operators, as well? (My notes show we were getting the Darrans' personal ability to pay financial information in 2010-2011.) Therefore, I believe we can properly proceed to get an update on their same financial condition(s) again now. Thanks. -TomT.



Re: Fw: Nutronics - FYI

Thomas Turner to: FREDRICK MICKE

Cc: Debbie Keating

From:

Thomas Turner/R5/USEPA/US

To:

FREDRICK MICKE/R5/USEPA/US@EPA,

Cc:

Debbie Keating/R5/USEPA/US@EPA

## Thanks Fred.

Debbie would you please check the records and see whether there is a recent title search and county recorder (or register) of deeds legal description of the property? Then, please let me know what we need. I want to begin the CERCLA 107(I) lien perfection process asap. Thanks. Tom Turner LAN or 6-6613

FREDRICK MICKE

---- Forwarded by FREDRICK MICKE/R5/USE...

06/22/2011 10:47:26 AM

06/22/2011 11:05 AM

From:

FREDRICK MICKE/R5/USEPA/US

10:

Thomas Turner/R5/USEPA/US@EPA, Debbie Keating/R5/USEPA/US@EPA

Date: Subject: 06/22/2011 10:47 AM Fw: Nutronics - FYI

---- Forwarded by FREDRICK MICKE/R5/USEPA/US on 06/22/2011 10:46 AM -----

From:

"Jansen, David" < David.Jansen@Illinois.gov>

To:

"Gobelman, Steven L" <Steven.Gobelman@illinois.gov>

Cc:

FREDRICK MICKE/R5/USEPA/US@EPA

Date: Subject: 06/21/2011 10:33 AM RE: Nutronics - FYI

Unless the County inspects the interior of a commercial building prior to its periodic assessments, I don't know why any future County appraisal would be any higher as a result of the cleanup. If a private appraiser looks at everything, it still doesn't look that good inside. The roof still leaks, there is no water or electric service, and no functioning heating system. The exterior of the building remains the same, with some structural damage to the brick wall next to Peoria Road (why the sidewalk is blocked off). If the tax buyer acquires the property before IDOT buys it, Bud won't realize any financial gain from a sale.

We have no plans to seek cost recovery, but the USEPA will have to answer on their behalf.

Via copy of this e-mail, I'll ask Fred Micke, the OSC, if they plan to or normally seek cost recovery for these cleanups.

Message----

From: Gobelman, Steven L

Sent: Tuesday, June 21, 2011 9:42 AM

To: Jansen, David

Subject: RE: Nutronics - FYI

IDOT will be paying the property owner for the property it would be appraised at the highest and best use. With the property being cleanup, I would assume that the property will be appraised at a higher value now that it is cleaned

Re: Fw: Nutronics - FYI

up. Is IEPA or USEPA going to put something in place to get cost recovery on their cleanup from our acquisition?

Steven Gobelman, P.E., L.P.G.
Geologic/Waste Assessment Specialist IDOT
Bureau of Design and Environment
2300 South Dirksen Parkway
Springfield, IL 62764
Ph: 217-785-4246
Fax: 217-524-9356
steven.gobelman@illinois.gov

----Original Message----

From: Jansen, David

Sent: Tuesday, June 21, 2011 9:09 AM

To: Gobelman, Steven L Subject: Nutronics - FYI

I sent the attached letter, which enclosed copies of the attached report and photos, and the 3 USEPA POLREPs, to Bud and Sharon Darran, the property owners.

Re: Fw: Nutronics - FYI



Re: Nutronics, Inc. Site - Ability to Pay Analysis Questions

Debbie Keating to: William Ryczek

05/19/2011 10:05 AM

From:

Debbie Keating/R5/USEPA/US

To:

William Ryczek/R5/USEPA/US@EPA,

This is one e-mail from Finance. I'll find the other and forward it.
----- Forwarded by Debbie Keating/R5/USEPA/US on 05/19/2011 10:05 AM -----

From:

Cynthia Mack-Smeltzer/R5/USEPA/US

To:

Debbie Keating/R5/USEPA/US@EPA

Cc:

FREDRICK MICKE/R5/USEPA/US@EPA, Thomas Turner/R5/USEPA/US@EPA

Date:

11/26/2010 07:20 AM

Subject:

Re: Nutronics, Inc. Site - Ability to Pay Analysis Questions

# Hi Debbie.

I prefer the standard Financial Data Request Form and 3 years of tax returns. I may be able to work with the form you have received, but it might not capture all the needed data. Is there a reason they didn't provide the requested information?

# Cyndie

Debbie Keating		Hi Cynthia, I am working on the PRP search/enf	11/24/2010 12:00:56 PM
From:	Debbie	Keating/R5/USEPA/US	
To:	Cynthia Mack-Smeltzer/R5/USEPA/US@EPA		
Cc:	Thomas Turner/R5/USEPA/US@EPA, FREDRICK MICKE/R5/USEPA/US@EPA		
Date:	11/24/2010 12:00 PM		
Subject:	Nutroni	cs, Inc. Site - Ability to Pay Analysis Questions	

# Hi Cynthia,

I am working on the PRP search/enforcement part of the Nutronics, Inc. Site located in Springfield, Illinois. The PRPs, a husband & wife who own the Site property, are claiming an inability to pay for the cleanup. We need to have an ability to pay analysis done but I have a couple of questions first.

Does it matter that they filled out a statement of financial affairs different than the form entitled "Indivdual Ability To Pay Claim - Financial Data Request Form? Also, I had asked that they send the last five years of individual tax returns, but they only send 2008 & 2009. Can an ability to pay analysis be done with less than three years of tax returns?

Thanks for your help.

Debbie

Debbie Keating, Enforcement Specialist Enforcement Services Section #1 Superfund Division 77 West Jackson Boulevard, SE-5J Chicago, IL 60604 (312) 353-7632 Phone



Re: Fw: Nutronics, Inc. Superfund Site (IL) - Draft Action Memo and

Electronic Routing Slip

Thomas Turner to: Debbie Keating
Cc: FREDRICK MICKE, JOSEPH KAWECKI

01/31/2011 12:28 PM

From:

Thomas Turner/R5/USEPA/US

To:

Debbie Keating/R5/USEPA/US@EPA,

Cc:

FREDRICK MICKE/R5/USEPA/US@EPA, JOSEPH KAWECKI/R5/USEPA/US@EPA

That's okay, Debbie. Connie reviewed, edited and concurred. ORC is okay with the Enf. Addendum as it currently stands. When you have a minute, I do want to talk to you (and the rest of the Enforcement Team) about whether/how we should try to inquire concerning the 2007 transaction reported by IEPA, wherein Mr. Darran sold his company good will/business client list to a Kansas company. If that was the extent of the sale, then the buyer is not a PRP. I just want to make certain the buyer did not acquire any corporate responsibility. Also, there was a local Springfield, IL Oil Co. that did some business with Darran before he shut Nutronics down. It would be good to make certain they are or are not responsible for any spills inside the facility. Thanks. Tom T.

**Debbie Keating** 

Tom, Thanks so much for getting this done. I ha...

01/31/2011 12:22:26 PM

From:

Debbie Keating/R5/USEPA/US

To: Cc: Thomas Turner/R5/USEPA/US@EPA FREDRICK MICKE/R5/USEPA/US@EPA

Date:

01/31/2011 12:22 PM

Subject:

Re: Fw: Nutronics, Inc. Superfund Site (IL) - Draft Action Memo and Electronic Routing Slip

# Tom,

Thanks <u>so</u> much for getting this done. I haven't had a chance to look at the addendum because I was so busy working on the ESI consent order, but I trust you absolutely and I'm sure it's fine. (If you'd still like for me to review it I will-just let me know.)

## Debbie

Thomas Turner

Hi Debbie. For your records. -Tom T. ---- Forw...

01/31/2011 11:05:25 AM

From:

Thomas Turner/R5/USEPA/US

To:

Debbie Keating/R5/USEPA/US@EPA

Date:

01/31/2011 11:05 AM

Subject:

Fw: Nutronics, Inc. Superfund Site (IL) - Draft Action Memo and Electronic Routing Slip

## Hi Debbie. For your records. -Tom T.

---- Forwarded by Thomas Turner/R5/USEPA/US on 01/31/2011 11:05 AM -----

From:

Connie Puchalski/R5/USEPA/US

To:

Thomas Turner/R5/USEPA/US@EPA, FREDRICK MICKE/R5/USEPA/US@EPA

Date:

01/31/2011 10:31 AM

Subject:

Fw: Nutronics, Inc. Superfund Site (IL) - Draft Action Memo and Electronic Routing Slip

Tom & Fred-I made numerous changes to this Action Memo. Please make sure that this version is sent forward for sign off. Connie

---- Forwarded by Connie Puchalski/R5/USEPA/US on 01/31/2011 10:30 AM -----

From:

Thomas Turner/R5/USEPA/US

Re: Fw: Nutronics, Inc. Superfund Site (IL) - Draft Action Memo and Electronic Routing Slip

To:

Connie Puchalski/R5/USEPA/US@EPA

Date:

01/31/2011 09:44 AM

Subject:

Nutronics, Inc. Superfund Site (IL) - Draft Action Memo and Electronic Routing Slip

# Hi Connie,

Attached is the draft Action Memo with Admin. Rec. and Enf. Addendum, and the e-Routing Slip. Thanks. Tom Turner

[attachment "Nutronics Action Memo DRAFT+tt.docx" deleted by Debbie Keating/R5/USEPA/US] [attachment "Nutric. routing slip.doc" deleted by Debbie Keating/R5/USEPA/US]



Re: Nutronics, Inc. Site - Action Memo, Enforcement Addendum, Other

Thomas Turner to: Debbie Keating
Cc: FREDRICK MICKE, JOSEPH KAWECKI

01/27/2011 01:07 PM

From:

Thomas Turner/R5/USEPA/US

To:

Debbie Keating/R5/USEPA/US@EPA.

Cc:

FREDRICK MICKE/R5/USEPA/US@EPA, JOSEPH KAWECKI/R5/USEPA/US@EPA

Hi Debbie. I am currently drafting the Enf. Addendum. I should have that to Connie by end of the day today or first thing tomorrow. Based on what we do know, this is almost certainly a fund-lead, and we will be attempting minimal cost recovery (based on atp) with the Darrans; looking to see whether the S. Carolina firm that sought an initial tax property purchase of the property is going to follow through (perfect its tax lien). We can issue them a GNL (after Joe confirms their status) in the near future, and then use a CERCLA lien later, if it will secure some funds.

For the Admin. Record Index, I just spoke to Fred. He is on top of this. The documents that I would recommend from ORC view are: 1) the referral letter from Illinois EPA; 2) the access agreement; 3) the GNL to the Darrans; 4) the 104e Information Request to the Darrans; and, 5) the USEPA Site Assessment.

# Thanks to all. Tom Turner LAN or 6-6613

Debbie K	eating Hi Tom,	01/27/2011 12:49:07 PM	
From:	Debbie Keating/R5/USEPA	/US	
To:	Thomas Turner/R5/USEPA		
Cc:	FREDRICK MICKE/R5/USE	PA/US, JOSEPH KAWECKI/R5/USEPA/US	
Date:	01/27/2011 12:49 PM		
Subject:	Nutronics, Inc. Site - Action	Memo, Enforcement Addendum, Other	

Hi Tom,

I did get your voice mail a short time ago.

I am in a crunch this week to get an AOC finished for the ESI Site in Indianapolis. That's the big one I got assigned to in mid-September and had to drop all my other work to keep up with it. I am sorry I have not been able to give Nutronics my full attention, and have not had a chance yet to take the Darrans' information to Finance. I will get everything up there on Monday and have sent an e-mail to Finance asking what the turn-around will be.

I haven't talked to Joe Kawecki about PIP. He hasn't said anything to me about it at all, but I will leave a voice mail message asking about it. He isn't good about checking his e-mails.

I was planning to work on the addendum next week once I got through this AOC. We just had a big PRP meeting last Friday for ESI and now the entire PRP group is waiting for it. If you have time to work on the enforcement addedum that would be great. I will have a break next week while the group reviews the AOC to work on the GN you requested.

#### Debbie

----Thomas Turner/R5/USEPA/US wrote: ----

To: Debbie Keating/R5/USEPA/US@EPA From: Thomas Turner/R5/USEPA/US

Date: 01-27-2011 12:13 PM

Re: Nutronics, Inc. Site - Action Memo, Enforcement Addendum, Other

Subject: Nutronics, Inc. - Action Memo

Hi Debbie, I am reviewing the draft Action Memo sent by Fred Micke this a.m. I will start work on a draft Enforcement Addendum. Would you please check on the ability to pay of the Darrans-with our Financial Analyst? Thanks. Tom T. LAn or 312/886-6613



Fw: Nutronics, Inc. SF Site (IL) - Preparation of GNL to Tax Purchaser of 10-29-2010.

Thomas Turner to: JOSEPH KAWECKI Cc: Debbie Keating, FREDRICK MICKE

01/27/2011 11:55 AM

From:

Thomas Turner/R5/USEPA/US

To:

JOSEPH KAWECKI/R5/USEPA/US@EPA,

Cc:

Debbie Keating/R5/USEPA/US@EPA, FREDRICK MICKE/R5/USEPA/US@EPA

# Hi Joe.

as I indicated in my voice mail of this a.m., we need to find out what the status of 'PIP-West of Bluffton, South Carolina' is in terms of whether they have perfected the initial tax purchase of 10/201 of the Nutronics, Inc. Site property. Would you please look into this when you get a chance and let myself, Debbie and Fred know? Thanks. Tom T. LAN or 6-6613

---- Forwarded by Thomas Turner/R5/USEPA/US on 01/27/2011 11:52 AM -----

From:

Thomas Turner/R5/USEPA/US

To:

Debbie Keating/R5/USEPA/US@EPA, FREDRICK MICKE/R5/USEPA/US@EPA

Cc:

JOSEPH KAWECKI/R5/USEPA/US@EPA

Date:

12/09/2010 04:19 PM

Subject:

Nutronics, Inc. SF Site (IL) - Preparation of GNL to Tax Purchaser of 10-29-2010.

Debbie: After you have checked on our Financial Analyst's research into the Darran's ability to pay, would you also please prepare a General Notice Letter to 'PIP-West of Bluffton, South Carolina', when you get the chance. That is the party that, according to IEPA Representative David Jansen's 11/9/2010 Memo, made an initial tax sale purchase of the Nutronics property in October 2010. I want them to be aware that we are planning a removal action and looking at all PRPs. We should also send this party an access agreement.

Joe: Could you please find out any available background on PIP-West?

Thanks to all. Tom Turner LAN or 6-6613



Re: Nutronics, Inc. Site - Conversation with Mr. Darran Today

Thomas Turner to: Debbie Keating

01/25/2011 04:26 PM

Cc: FREDRICK MICKE

From:

Thomas Turner/R5/USEPA/US

To:

Debbie Keating/R5/USEPA/US@EPA,

Cc:

FREDRICK MICKE/R5/USEPA/US@EPA

Thanks Debbie. I have not had any contacts with Mr. Darran (since we got the financial data from the Darrans) or the City of Springfield. If I hear from either, I will keep you both informed. -Tom Turner LAN or 6-6613

Debbie Keating		First of all, thanks Fred for the head's up on the	01/25/2011 03:46:19 PM	
From:	Debbie	e Keating/R5/USEPA/US		
To:	Thomas Turner/R5/USEPA/US, FREDRICK MICKE/R5/USEPA/US			
Date:	01/25/2011 03:46 PM			
Subject:	Nutron	ics, Inc. Site - Conversation with Mr. Darran Today		

First of all, thanks Fred for the head's up on the Action Memo as well. I'll get the enforcement addendum to you ASAP. Could you email a copy of Action Memo to me once you have it drafted? It would be very helpful (& thanks in advance.)

Yesterday at 3:54 p.m. Mr. Darran left a voice mail message that he wanted me to call him back after 11 a.m. today. I returned his call at 11:37 a.m. today and he told me that he got a letter from the City of Springfield, and as a result he has to go to the Site tomorrow to meet with some people from the City. Mr. Darran was calling to get an update from us so he could let the City know tomorrow. I told him that Fred was in the process of getting the funding to start the work. Mr. Darran also mentioned that he has talked to the City attorney, Megan E. Morgan, several times and that she might be there tomorrow as well? Tom, I also gave Mr. Darran your name and number to pass along to Ms. Morgan if needed. I wasn't sure if the City and you (or Fred) have talked recently or not. It sounded like the City was after him for several things like code violations, etc.

Just letting both of you know, as I also told Mr. Darran I would. Not sure how this impacts anything on our end - just passing along the information. Mr. Darran did not have the letter handy with Ms. Morgan's phone number, so here is the best link I could find for a contact:

http://www.springfield.il.us/legal/index.htm

Debbie



Re: Nutronics, Inc. Site - Conversation with Mr. Darran Today

FREDRICK MICKE to: Debbie Keating

01/25/2011 04:34 PM

From:

FREDRICK MICKE/R5/USEPA/US

To:

Debbie Keating/R5/USEPA/US@EPA,

Yes, I will be sending you an email copy of the Action Memo. It is SOP, for me, to send the Action Memo to the attorney and the enforcement person at the same time that I send the Action Memo to the Records Center.

Debbie Keating First of all, thanks Fred for the head's up on the... 01/25/2011 03:46:19 PM

From:

Debbie Keating/R5/USEPA/US

To:

Thomas Turner/R5/USEPA/US, FREDRICK MICKE/R5/USEPA/US

Date:

01/25/2011 03:46 PM

Subject:

Nutronics, Inc. Site - Conversation with Mr. Darran Today

First of all, thanks Fred for the head's up on the Action Memo as well. I'll get the enforcement addendum to you ASAP. Could you email a copy of Action Memo to me once you have it drafted? It would be very helpful (& thanks in advance.)

Yesterday at 3:54 p.m. Mr. Darran left a voice mail message that he wanted me to call him back after 11 a.m. today. I returned his call at 11:37 a.m. today and he told me that he got a letter from the City of Springfield, and as a result he has to go to the Site tomorrow to meet with some people from the City. Mr. Darran was calling to get an update from us so he could let the City know tomorrow. I told him that Fred was in the process of getting the funding to start the work. Mr. Darran also mentioned that he has talked to the City attorney, Megan E. Morgan, several times and that she might be there tomorrow as well? Tom, I also gave Mr. Darran your name and number to pass along to Ms. Morgan if needed. I wasn't sure if the City and you (or Fred) have talked recently or not. It sounded like the City was after him for several things like code violations, etc.

Just letting both of you know, as I also told Mr. Darran I would. Not sure how this impacts anything on our end - just passing along the information. Mr. Darran did not have the letter handy with Ms. Morgan's phone number, so here is the best link I could find for a contact:

http://www.springfield.il.us/legal/index.htm

Debbie



Re: Bankruptcy Notices 12/17

Thomas Turner to: Richard Nagle

Cc: keating.debbie, micke.fredrick

From:

Thomas Turner/R5/USEPA/US

To:

Richard Nagle/R5/USEPA/US@EPA,

Cc:

keating.debbie@epa.gov, micke.fredrick@epa.gov

Hi Rick. We filed a General Notice Letter and I am pretty sure that the Darran's will prove (in) ability to pay, but for the sake of following up would you please forward me copies of all paperwork you received for: Albert and Sharon darran of Springfield, IL Ch. 7 Bankruptcy, US Bnkrptcy Ct., C.D. IL case No. 10-72350. Thanks. Tom Turner LAN or 6-6613

12/17/2010 05:30 PM

-----Richard Nagle/R5/USEPA/US wrote: -----

To: R5 ORC ALL ATTORNEY

From: Richard Nagle/R5/USEPA/US

Date: 12/17/2010 05:05PM

cc: LAWRENCE SCHMITT/R5/USEPA/US@EPA, George Hamper/R5/USEPA/US@EPA

Subject: Bankruptcy Notices 12/17

Happy Holidays. This time of year isn't so happy for some as a noticeable slice of corporate America files bankruptcy before the end of the calendar year. So here's the latest batch of motions and notices. Let me know if you have an interest or if you would like the paper copies.

++++++++++

Oregon Conveyor dba Global Corporation 875 N. Michigan Ave. Chicago, IL 60611 Chapter 7

ND IL Eastern Div. Case No. 10-14788

Government Bar Date set at Feb 10, 2011

++++++++++

Albert and Sharon Darran 22 West Bel-Aire Springfield, IL 62703

Ch 7 Central Dist. of IL Case No. 10-72350

**Discharge Notice** 

+++++++++

Ames Supply Company ND IL Eastern Div. Case No. 10-08785 Chapter 11

Motion for Compensation and Fees.

Re: Bankruptcy Notices 12/17

CERCLIS: Elsworth Industrial Park (R5), Malvern TCE (R3), American Chemical Service (R5), +++++++++

Unifab Corporation 3030 Kersten Court Klamazoo, MI 49048

Chapter 11 Western Dist. of Mich. Case No. 10-13307

Meeting of Creditors Dec 29, 2010 US Courthouse, Room 111 - Kalamazoo.

CERCLIS Hit on Verona Wellfields. Other matters include: Applied Coatings; Unifab Corp, Unifab Properties; Ostego Lanfill; A-1 Disposal Landfill, Sunrise Landfill and West K-L Landfill.

+++++++++++

Schutt Sports , Inc. (yes, the football helmet manufacturers)
Delaware
Chapter 11
Case No. 10-12795

Notice of Asset Sale

+++++++++

Akron Thermal LLP and Akron Thermal Cooling, LLC ND Ohio, Eastern Div Case No. 09-54101 Ch 11

**Abandonment Hearing Order** 

CERCLIS Negative

Genmar Holdings, Inc . District of MN Case No. 09-43537 Chapter 7

Order Terminating Joint Administration (with other related yacht manufacturing companies).

CERCLIS Spectron, Inc (R3) +++++++++++

Bulk Petroleum Corporation ED Wisc. Case No. 09-21782 Ch. 11

Notice of Settlement with Fidelity and Guaranty Insurance

Debtors include: Bulk Petroleum of Indiana, Charanjeet Illinois Stations No. 6, Inc, Charanjeet's

Re: Bankruptcy Notices 12/17

Wisconsin Properties One, Darshan's Wisconsin Stations Eight, LLC, Gurpal Wisconsin Stations, LLC, Rakhra Wisconsin E-Z Go Stations Three, Inc., Darshan's Indiana Stations One, Inc., Dhaliwal's Michigan Bulk Stations Two, Inc. etc....

**CERCLIS Negative** 

Re: Bankruptcy Notices 12/17



Nutronics, Inc. SF Site (IL) - Preparation of GNL to Tax Purchaser of 10-29-2010.

Thomas Turner to: Debbie Keating, FREDRICK MICKE

12/09/2010 04:18 PM

Cc: JOSEPH KAWECKI

From:

Thomas Turner/R5/USEPA/US

To:

Debbie Keating/R5/USEPA/US@EPA, FREDRICK MICKE/R5/USEPA/US@EPA,

Cc:

JOSEPH KAWECKI/R5/USEPA/US@EPA

Debbie: After you have checked on our Financial Analyst's research into the Darran's ability to pay, would you also please prepare a General Notice Letter to 'PIP-West of Bluffton, South Carolina', when you get the chance. That is the party that, according to IEPA Representative David Jansen's 11/9/2010 Memo, made an initial tax sale purchase of the Nutronics property in October 2010. I want them to be aware that we are planning a removal action and looking at all PRPs. We should also send this party an access agreement.

Joe: Could you please find out any available background on PIP-West?

Thanks to all. Tom Turner LAN or 6-6613



Re: Nutronics, Inc. Site - Ability to Pay Analysis Questions

Debbie Keating to: Cynthia Mack-Smeltzer

11/30/2010 01:14 PM

From:

Debbie Keating/R5/USEPA/US

To:

Cynthia Mack-Smeltzer/R5/USEPA/US@EPA,

Cynthia,

I'll get in touch with you tomorrow, and you can let me know what time would be good.

Thanks so much!

Debbie

Debbie Keating, Enforcement Specialist Enforcement Services Section #1 Superfund Division 77 West Jackson Boulevard, SE-5J Chicago, IL 60604 (312) 353-7632

-----Cynthia Mack-Smeltzer/R5/USEPA/US wrote: -----

To: Debbie Keating/R5/USEPA/US@EPA From: Cynthia Mack-Smeltzer/R5/USEPA/US

Date: 11-30-2010 12:41 PM

cc: Thomas Turner/R5/USEPA/US@EPA

Subject: Re: Nutronics, Inc. Site - Ability to Pay Analysis Questions

Yes I will.

Debbie Keating---11/30/2010 12:40:43 PM---Cynthia, I am on flexi today. Will you be in the office

tomorrow? Debbie Keating, Enforcement

From:

Debbie Keating/R5/USEPA/US

To:

Cynthia Mack-Smeltzer/R5/USEPA/US@EPA

Cc:

Thomas Turner/R5/USEPA/US@EPA

Date:

11/30/2010 12:40 PM

Subject:

Re: Nutronics, Inc. Site - Ability to Pay Analysis Questions

Cynthia,

I am on flexi today. Will you be in the office tomorrow?

Re: Nutronics, Inc. Site - Ability to Pay Analysis Questions

Debbie Keating, Enforcement Specialist Enforcement Services Section #1 Superfund Division 77 West Jackson Boulevard, SE-5J Chicago, IL 60604 (312) 353-7632

-----Cynthia Mack-Smeltzer/R5/USEPA/US wrote: -----

To: Debbie Keating/R5/USEPA/US@EPA From: Cynthia Mack-Smeltzer/R5/USEPA/US

Date: 11-30-2010 11:40 AM

cc: Thomas Turner/R5/USEPA/US@EPA

Subject: Re: Nutronics, Inc. Site - Ability to Pay Analysis Questions

Debbie.

Can you bring me what you have and I will take a look at it? I am on the 10th floor cube 10056.

Thanks, Cyndie

Debbie Keating---11/29/2010 09:11:02 AM---Cynthia,

From:

Debbie Keating/R5/USEPA/US

To:

Cynthia Mack-Smeltzer/R5/USEPA/US@EPA

Cc:

Thomas Turner/R5/USEPA/US@EPA

Date:

11/29/2010 09:11 AM

Subject:

Re: Nutronics, Inc. Site - Ability to Pay Analysis Questions

# Cynthia,

I'm not sure why the PRPs didn't send us all 5 years of tax returns as we requested. It may be that they just didn't read the instructions well. I'm pretty certain I could get them to sign one of those forms giving us permission to request copies of their tax returns directly from the IRS. I think it would be quite a wait to get the PRPs to send the other years of returns to us and we need to make this ability to pay determination pretty soon. Do you have any experience with requesting returns directly from the IRS? I haven't done it before. Also, the form requesting financial information is pretty detailed. I don't recall why I sent them that one; whether it was because I just blanked out or if it was because I didn't have a copy of yours yet.

Should I just follow up with my PRPs for the missing tax return, or would you like to see what I have to

Re: Nutronics, Inc. Site - Ability to Pay Analysis Questions

## make a decision?

Thanks for your prompt response last week - I was not in the office on Friday so didn't read your reply until this morning.

#### Debbie

-----Cynthia Mack-Smeltzer/R5/USEPA/US wrote: -----

To: Debbie Keating/R5/USEPA/US@EPA From: Cynthia Mack-Smeltzer/R5/USEPA/US

Date: 11-26-2010 7:20 AM

cc: FREDRICK MICKE/R5/USEPA/US@EPA, Thomas Turner/R5/USEPA/US@EPA

Subject: Re: Nutronics, Inc. Site - Ability to Pay Analysis Questions

Hi Debbie.

I prefer the standard Financial Data Request Form and 3 years of tax returns. I may be able to work with the form you have received, but it might not capture all the needed data. Is there a reason they didn't provide the requested information?

# Cyndie

Debbie Keating---11/24/2010 12:00:56 PM---Hi Cynthia, I am working on the PRP search/enforcement part of the Nutronics, Inc. Site located in S

From: Debbie Keating/R5/USEPA/US

To: Cynthia Mack-Smeltzer/R5/USEPA/US@EPA

Cc: Thomas Turner/R5/USEPA/US@EPA, FREDRICK MICKE/R5/USEPA/US@EPA

Date: 11/24/2010 12:00 PM

Subject: Nutronics, Inc. Site - Ability to Pay Analysis Questions

# Hi Cynthia,

I am working on the PRP search/enforcement part of the Nutronics, Inc. Site located in Springfield, Illinois. The PRPs, a husband & wife who own the Site property, are claiming an inability to pay for the cleanup. We need to have an ability to pay analysis done but I have a couple of questions first.

Does it matter that they filled out a statement of financial affairs different than the form entitled "Indivdual Ability To Pay Claim - Financial Data Request Form? Also, I had asked that they send the last five years of individual tax returns, but they only send 2008 & 2009. Can an ability to pay analysis be done with less than three years of tax returns?

Thanks for your help.

Debbie

Debbie Keating, Enforcement Specialist Enforcement Services Section #1 Superfund Division 77 West Jackson Boulevard, SE-5J

Re: Nutronics, Inc. Site - Ability to Pay Analysis Questions

Chicago, IL 60604 (312) 353-7632 Phone



# Nutronics update Debbie Keating to: Thomas Turner

11/24/2010 04:28 PM

Tom.

I was going through my e-mails and noticed that you were not cc'd on this one sent by IEPA. Of particular interest is attached memo dated November 9. IEPA states that the Site property was sold for 2009 back taxes on October 29. I don't know anything more about PIP (the entity that paid the taxes), but I can certainly find out.

Debbie

Debbie Keating, Enforcement Specialist Enforcement Services Section #1 Superfund Division 77 West Jackson Boulevard, SE-5J Chicago, IL 60604 (312) 353-7632 Phone

---- Forwarded by Debbie Keating/R5/USEPA/US on 11/24/2010 04:28 PM -----

From:

"Jansen, David" <David.Jansen@Illinois.gov>

To: Cc: "Everetts, Bruce" <Bruce.Everetts@Illinois.gov>, "Wagner, Mark" <Mark.Wagner@Illinois.gov> FREDRICK MICKE/R5/USEPA/US@EPA, Debbie Keating/R5/USEPA/US@EPA, "King, Charlie"

<Charlie.King@Illinois.gov>, "Purseglove, Paul" <Paul.Purseglove@Illinois.gov>

Date:

11/09/2010 01:32 PM

Subject:

Nutronics update



I prepared this info after my site visit on November 3, 2010. Nutronics11032010 RCRA cover.docx





1671200054~11032010.doc Nutronics 11032010.docx

unlocked in the morning. He confirmed that they did not use any cyanide in their plating operations.

Mr. Darran also stated that they had stopped paying property taxes on the property and building, which has no running water or electricity. I asked him to advise me if anyone acquired the building and property for back taxes and he agreed to do so. His original door key was returned to him by Mr. Micke.

Mr. Micke estimated it might be late winter or early spring 2011 before the site could be cleaned up by a USEPA contractor.

The Weston personnel finished sampling around 4:15 p.m., and they were preparing to conduct an inventory of all the chemicals containers and tanks inside the building after I left the facility at about 4:25 p.m. They were expecting to conclude their work before it got dark out.

Attached photos # 001, 002, and 003 were taken by me at the facility.

The attached property tax information obtained after the inspection from the Sangamon County web site, <a href="http://tax.co.sangamon.il.us/SangamonCountyWeb/app/billings.action">http://tax.co.sangamon.il.us/SangamonCountyWeb/app/billings.action</a>, indicates that the 2009 property taxes of \$2969.62 for the Darrans' property were sold at a tax sale on October 29, 2010 to PIP-West of Bluffton, South Carolina. Per this web site, "The tax buyer has the right to petition and receive a tax deed to the parcel if the amounts outstanding are not paid within the redemption period," which is "generally 30 months from the date of the tax sale." 30 months from October 29, 2010 is April 29, 2013.

cc: BOL/FOS - Springfield Region

ec: USEPA, Fred Micke
USEPA, Debbie Keating
IEPA/DRM, Bruce Everetts
IEPA/DRM, Mark Wagner

# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY BOL/FOS SPRINGFIELD REGION MEMORANDUM

DATE:

November 9, 2010

TO:

DLPC/Division File

FROM:

David C. Jansen, BOL/FOS Springfield Region

**SUBJECT:** 

LPC #1671200054 - Sangamon County

Springfield/Nutronics

FOS File

On November 3, 2010 I went to the Nutronics facility at 1703 Peoria Road in Springfield to meet with Fred Micke, an On Scene Coordinator for the USEPA (312-886-5123). Mr. Micke wanted to conduct a site assessment of this facility with personnel from Weston Solutions, a USEPA contractor. Hazardous wastes were abandoned inside the building at the facility by the owners, Albert "Bud" and Sharon Darran, and their corporation, Capitol Engraving & Nutronics, Inc., an Illinois corporation currently with a "revoked" status. The facility had previously been referred by the Illinois EPA to the USEPA for cleanup and enforcement action.

I arrived at about 10:30 a.m., and it was about 50°F, partly sunny, and dry when I arrived. Soon after I arrived, Mr. Micke arrived, as did Bud Darran, the site owner/operator, and Weston personnel Richard Mehl (see attached business card), Jon Columb, Jay Rauh, and Mike Mejac. Mr. Darran opened up the door in the NW corner of the building and gave Mr. Micke his door key for copying, and then left the facility.

I provided Mr. Micke and the Weston personnel with an overview of the Illinois EPA's March 17, 2010 sampling, and the test results from the samples of the abandoned hazardous wastes inside the building. I showed them the ground floor, the 2<sup>nd</sup> floor and the basement, and they opened from the inside the garage door and the double doors located on the ground floor of the west side of the building. During their time in the building, Weston personnel decided what waste samples to collect as part of their site evaluation. Not previously noted by me was that parts of an old boiler in the basement, and some of the associated piping, were wrapped in what was suspected to be old, white, asbestos insulation.

After taking a break for lunch, and to make copies of the Nutronics door key at Noonan's True Value hardware store at 9<sup>th</sup> Street and North Grand Ave., the Weston personnel collected waste samples from inside the building. Some of the samples collected were duplicative of the Illinois EPA samples taken on March 17, 2010. The 2 Weston samplers were dressed in Level B protective gear with SCBA's.

Mr. Darran returned in the afternoon and advised me that his company used to conduct nickel and gold plating of circuit boards at the facility, which was not previously known to me. A small cardboard box of gold plated circuit boards was found in a room straight east of the door he



Re: Nutronics Inc Site

Thomas Turner to: Debbie Keating

Cc: FREDRICK MICKE

From:

Thomas Turner/R5/USEPA/US

To:

Debbie Keating/R5/USEPA/US@EPA,

Cc:

FREDRICK MICKE/R5/USEPA/US@EPA

Hi Debbie. As we just discussed; let's see what the minimum information is that the Financial Analyst requires. After we figure out whether we have enough data for a general financial analysis, then we will determine whether we can do anything with the analysis. Thanks. Happy Thanksgiving to all. -TomT. LAN or 6-6613

**Debbie Keating** 

Tom, Does it make any difference now whether...

11/24/2010 10:54:03 AM

11/24/2010 11:06 AM

From:

Debbie Keating/R5/USEPA/US

To:

Thomas Turner/R5/USEPA/US@EPA

Cc: Date: FREDRICK MICKE/R5/USEPA/US@EPA 11/24/2010 10:54 AM

Subject:

Nutronics Inc Site

## Tom,

Does it make any difference now whether we have an ability to pay analysis done for Mr. & Mrs. Darran, since they have filed for personal bankruptcy? From past sites, I believe they now have protection against new claims, don't they? IDEM asked for our assistance on June 4th, and the Darrans filed for Chapter 7 on July 29. Can we only go after our expended costs for those 8 weeks? I had asked for five years of tax returns. They only sent tax returns for 2008 & 2009. Should I go ahead and get their tax returns for 2005-2007, or does it no longer matter?

Your advice would be greatly appreciated on this.

Debbie

Debbie Keating, Enforcement Specialist Enforcement Services Section #1 Superfund Division 77 West Jackson Boulevard, SE-5J Chicago, IL 60604 (312) 353-7632 Phone (312) 408-2293 Fax

Re: Nutronics Inc Site



Nutronics, Inc. Site - GN Letter Debbie Keating to: FREDRICK MICKE

Cc: Akimi Cheng, Thomas Turner

Debbie Keating/R5/USEPA/US

To: FREDRICK MICKE/R5/USEPA/US@EPA,

Cc: Akimi Cheng/R5/USEPA/US@EPA, Thomas Turner/R5/USEPA/US@EPA

# Fred,

From:

Here is the general notice letter. If you have any changes (and I hope it is ok as is because that will be much easier & faster), please let me know no later than noon tomorrow. I will be working at home but I can make the changes if you email them to me. Akimi would then need to reprint the affected pages. All this while it is going through a 1-day sign-off so it can still go out UPS overnight tomorrow. Sorry for the rush, but this whole personal bankruptcy issue was never mentioned by the Darrans. I found out when I discovered it stapled to the back of something else.

11/03/2010 04:32 PM

Thanks, Fred (& Akimi as always).



Nutronies GN 11-3-10.doc

Debbie Keating, Enforcement Specialist Enforcement Services Section #1° Superfund Division 77 West Jackson Boulevard, SE-5J Chicago, IL 60604 (312) 353-7632 Phone (312) 408-2293 Fax



Re: Nutronics, Inc. - Bankruptcy info. of the Darrans Debbie Keating to: Thomas Turner

11/03/2010 03:43 PM

From:

Debbie Keating/R5/USEPA/US

To:

Thomas Turner/R5/USEPA/US@EPA,

Tom,

Come down anytime before 4:30. I have to be out of here by then. You can sign off on the letter and I will make a copy of the document for you to pick up.

Debbie Keating, Enforcement Specialist **Enforcement Services Section #1** Superfund Division 77 West Jackson Boulevard, SE-5J Chicago, IL 60604 (312) 353-7632 Phone (312) 408-2293 Fax

**Thomas Turner** 

I need to see it, but will come down and make a...

11/03/2010 03:31:13 PM

From:

Thomas Turner/R5/USEPA/US

To:

Debbie Keating/R5/USEPA/US@EPA

Date:

11/03/2010 03:31 PM

Subject:

Re: Nutronics, Inc. - Bankruptcy info. of the Darrans

I need to see it, but will come down and make a copy myself if it helps. More importantly, I just talked to Rick Nagle, ORC Bankruptcy expert. He concurs on what we are doing. Rick says the GNL should go to: 1) the Darrans; 2) the Bankruptcy trustee; and 3) the Clerk of the Bankruptcy Court. All by FedEx overnight. Also, we cannot put a past costs amount in the letter, because they may be exempt. We need to only have language about PRPs being potentially liable for past future response costs, without a specific demand for payment of an amount. I think the language is okay as is, but I will check it.

Thanks again, Debbie. Please let me know a good time to come down and make a copy (this p.m. or tomorrow anytime). -Tom T. LAN or 6-6613

**Debbie Keating** 

I will, but it probably won't be until Friday. Will th...

11/03/2010 03:24:02 PM

From:

Debbie Keating/R5/USEPA/US

To:

Thomas Turner/R5/USEPA/US@EPA

Date:

11/03/2010 03:24 PM

Subject:

Re: Nutronics, Inc. - Bankruptcy info. of the Darrans

I will, but it probably won't be until Friday. Will that be ok?

Debbie Keating, Enforcement Specialist **Enforcement Services Section #1** Superfund Division 77 West Jackson Boulevard, SE-5J Chicago, IL 60604 (312) 353-7632 Phone

# (312) 408-2293 Fax

Subject:

Thomas Turner Debbie, when you get the chance, please do sen... 11/03/2010 03:20:26 PM

From: Thomas Turner/R5/USEPA/US
To: Debbie Keating/R5/USEPA/US@EPA
Date: 11/03/2010 03:20 PM

Debbie, when you get the chance, please do send me a scanned copy. Thanks. Tom T.

Nutronics, Inc. - Bankruptcy info. of the Darrans



Re: Nutronics, Inc. SF Site (IL) - Draft Language for GNL (Work To Be Performed)

FREDRICK MICKE to: Thomas Turner, Debbie Keating

11/03/2010 03:16 PM

From:

FREDRICK MICKE/R5/USEPA/US

To:

Thomas Turner/R5/USEPA/US@EPA, Debbie Keating/R5/USEPA/US@EPA,

## I will review when in the office tomorrow.

Thomas Turner

# ---- Original Message -----

From: Thomas Turner

Sent: 11/03/2010 03:07 PM CDT

To: Debbie Keating Cc: Fredrick Micke

Subject: Nutronics, Inc. SF Site (IL) - Draft Language for GNL (Work To Be

Performed)

Thanks Debbie. I would also say that we try to reach Fred Micke. (We can prepare the letter this pm, let Fred know tomorrow, and get his corrections/edits then send it out by overnight mail to get there on 11/5/2010). TomTurner LAN or 312/886-6613

# \*\*\*CONFIDENTIAL COMMUNICATION

Fred: Debbie just found out that the owner(s) of the PRP company filed for personal bankruptcy approx. 1 month before they got our CERCLA 104e letter. Although we may not pursue their personal assets, because the PRP (for now) is Nutronics, Inc., there is the outside chance that we might have a case where they improperly used the corporation and took assets that could reimburse the Superfund. To be safe, I counsel that we file a General Notice Letter today or tomorrow and send it by overnight mail to arrive on 11/5. The due date for filing a claim is 11/6/2010. If you get the chance, please review the attached and get comments to Debbie or myself. Thanks. T. Turner LAN or 312/886-6613

# 6-6613

[attachment "NutronicsSFStGNL.docx" deleted by FREDRICK MICKE/R5/USEPA/US]



Re: Nutronics - Mark Wagner Call

Thomas Turner to: Debbie Keating

Cc: FREDRICK MICKE

From: Thomas Turner/R5/USEPA/US

To: Debbie Keating/R5/USEPA/US@EPA,
Cc: FREDRICK MICKE/R5/USEPA/US@EPA

Yes, I agree with your assessment Debbie. I left a rather lengthy message for Mr. Wagner yesterday at 5:10 pm. I explained that we had received the CERCLA 104e requested financial documents and that they were going to be analyzed. I also reported that Fred plans to perform a Site Assessment next week (11/3 and 11/4). And, I said that- so far - the PRP has been cooperating. I left my name, e-mail address, and telephone no., as well as your name. I figure that Mr. Wagner knows how to contact Fred. Thanks. Tom Turner LAN or 6-6613

10/28/2010 12:07 PM

Debbie k	Ceating Tom,	10/28/2010 12:00:40 PM	
From:	Debbie Keating/R5/USEPA/US		
To:	Thomas Turner/R5/USEPA/US@EPA		
Cc:	FREDRICK MICKE/R5/USEPA/US@EPA		
Date:	10/28/2010 12:00 PM		
Subject:	Nutronics - Mark Wagner Call		

# Tom,

Thanks SO much for calling Mr. Wagner. I just now got a breather from my big/busy site in Indianapolis (with Verneta & Nola Hicks) which has literally been going all morning non-stop and is taking all our time lately. I was ready to shift into Nutronics and was trying to catch up on those emails and with great relief read that you had already contacted him.

I think IEPA is just waiting now to hear back from Fred about confirming the dates.

## Debbie

Debbie Keating, Enforcement Specialist Enforcement Services Section 1 Superfund Division 77 West Jackson Boulevard, SE-5J Chicago, IL 60604 (312) 353-7632

----Thomas Turner/R5/USEPA/US wrote: ----

To: Debbie Keating/R5/USEPA/US@EPA From: Thomas Turner/R5/USEPA/US

Date: 10-27-2010 4:37 PM

cc: FREDRICK MICKE/R5/USEPA/US@EPA

Subject: Re: Fw: Nutronics

Re: Nutronics - Mark Wagner Call

I'll take care of it, Debbie. -TTurner

Debbie Keating---10/27/2010 04:16:49 PM---Tom, As you can tell, I didn't read this email until just now, so obviously I haven't talked to Mr.

From:

Debbie Keating/R5/USEPA/US

To:

Thomas Turner/R5/USEPA/US@EPA

Cc:

FREDRICK MICKE/R5/USEPA/US@EPA

Date:

10/27/2010 04:16 PM

Subject:

Re: Fw: Nutronics

Tom.

As you can tell, I didn't read this email until just now, so obviously I haven't talked to Mr. Wagner. I can give him a call tomorrow, but that would be the soonest I could do it.

Debbie Keating, Enforcement Specialist Enforcement Services Section #1 Superfund Division 77 West Jackson Boulevard, SE-5J Chicago, IL 60604 (312) 353-7632 Phone (312) 408-2293 Fax

Thomas Turner---10/27/2010 01:32:40 PM---Fred, we have access and cooperation from PRPs. We just got financial information. If Debbie can t

From:

Thomas Turner/R5/USEPA/US

To:

FREDRICK MICKE/R5/USEPA/US@EPA

Cc:

Debbie Keating/R5/USEPA/US@EPA

Date:

10/27/2010 01:32 PM

Subject:

Re: Fw: Nutronics

Fred, we have access and cooperation from PRPs. We just got financial information. If Debbie can talk to Mr. Wagner, that would help. I can talk to him, if a legal question arises. Arrangements for contact information with the Darrans will follow. (Debbie can you please get this?). Thanks. Tom Turner LAN or 6-6613

FREDRICK MICKE---10/27/2010 01:29:31 PM---Debbie and Tom, Please give Mr. Wagner an update. I would like to do the site assessment on Nov. 3

Re: Nutronics - Mark Wagner Call

From:

FREDRICK MICKE/R5/USEPA/US

To:

Debbie Keating/R5/USEPA/US@EPA, Thomas Turner/R5/USEPA/US@EPA

Date:

10/27/2010 01:29 PM

Subject:

Fw: Nutronics

Debbie and Tom,

Please give Mr. Wagner an update.

I would like to do the site assessment on Nov. 3 and 4. Please inform the owner that I need access on these dates and please give him my cell phone # [ 312-802-1406]. Please e-mail me his phone # also.

If the owner cannot make these dates, please contact me ASAP so I can cancel the START personnel for Nov. 3 and 4.

---- Forwarded by FREDRICK MICKE/R5/USEPA/US on 10/27/2010 01:22 PM -----

# **Nutronics**

Wagner, Mark

to: FREDRICK MICKE

10/26/2010 03:16 PM

Cc:

"Wagner, Mark"

Fred,

I just want to touch base with you regarding Nutronics. I notice that we have passed the 10/6/10 date for a response to the 104(E) if so do you now move forward with the action memo and possible removal?

Thanks,

Mark

Mark E. Wagner Project Manager Illinois EPA

217-524-1662

Re: Nutronics - Mark Wagner Call



**RE: Nutronics** 

Jansen, David to: Wagner, Mark

Cc: "Everetts, Bruce", Debbie Keating, "Purseglove, Paul"

From:

"Jansen, David" <David.Jansen@Illinois.gov>

To:

"Wagner, Mark" <Mark.Wagner@Illinois.gov>,

Cc:

"Everetts, Bruce" < Bruce. Everetts@Illinois.gov>, Debbie Keating/R5/USEPA/US@EPA,

10/28/2010 11:41 AM

"Purseglove, Paul" < Paul. Purseglove@Illinois.gov>

I can do it if they just tell me when I need to be there, if they want to meet here before entry, and if entry will be in Level A, B, C, or D. I would need to spend some time getting prepared for anything other than a Level D entry. They will need Bud Darran's key to get in the back door of the building.

----Original Message----

From: Wagner, Mark

Sent: Thursday, October 28, 2010 11:25 AM

To: Jansen, David; Keating.Debbie@epamail.epa.gov Cc: Purseglove, Paul; Everetts, Bruce; Wagner, Mark

Subject: RE: Nutronics

Dave,

I received a message from Tom Turner @ USEPA and he has indicated that Fred Micke is planning a site assessment @ Nutronics on 11/3 and 11/4. Fred has not returned my call to confirm that this visit is still a go.

I know this is late notice and I'm scheduled to be at a different site on those dates. Does FOS have a person familiar with the site to orientate USEPA with it on 11/3?

Thanks, Mark

----Original Message----

From: Jansen, David

Sent: Friday, September 10, 2010 11:37 AM

To: Keating.Debbie@epamail.epa.gov

Cc: Purseglove, Paul; Everetts, Bruce; Wagner, Mark

Subject: RE: Nutronics

That all sounds good. I would appreciate copies of any final documents for our file. thanks.

----Original Message----

From: Keating.Debbie@epamail.epa.gov [mailto:Keating.Debbie@epamail.epa.gov]
Sent: Friday, September 10, 2010 11:30 AM

To: Jansen, David

Cc: Micke.Fredrick@epamail.epa.gov;
Turner.Thomas@epamail.epa.gov;

Kawecki.Joseph@epamail.epa.gov

Subject: Re: Nutronics

We are moving forward on the Site, things are progressing well, and we intend to see it through to completion for both enforcement and the cleanup.

Since my last update to you back in mid-July, our Region 5 Civil Investigator interviewed the Darrans in Springfield on July 15. On the same date the Darrans signed an EPA Access Agreement giving us permission to go onto the Site property to conduct cleanup activities. On August 30 we issued a 104(e) Request for Information letter to Mr. & Mrs. Darran, primarily asking for financial information in order to evaluate Mr. Darran's inability to pay claim. not anticipate that the Darrans can perform the cleanup, but we do need the information in order to document what Mr. Darran has told both Agencies. We also asked a couple of questions about the sale of equipment, and what the circumstances were surrounding the business when operations ceased. Mr. Darran contacted us late last week with some questions about the letter. He and I talked this week and went over what confused him. He is very cooperative and said he will reply by the October 6 deadline. The next step will be to issue a General Notice of Potential Liability letter formally giving the potentially responsible parties the opportunity to conduct or finance the cleanup. Once the responses are received, we can then go forward with a fund-lead cleanup, which is the direction we expect to go on this Site unless we find out something else.

I believe we are also progressing on the funding side of things. Fred Micke was deployed to the Kalamazoo River oil spill for several weeks and is likely catching up on Site work now that he is back. The next step for Site funding would be the signature of an Action Memo. Fred, as On-Scene Coordinator, writes that and would be the person to ask for sampling and cleanup updates. His number is (312) 886-5123. Tom Turner is our Region 5 attorney and his number is (312) 886-6613.

Hope this update answers most of your questions. Please let me know if you would like copies of documents we have issued. I can scan anything you need and send it as a .pdf.

Debbie Keating, Enforcement Specialist Enforcement Services Section #1 Superfund Division 77 West Jackson Boulevard, SE-5J Chicago, IL 60604 (312) 353-7632 Phone (312) 408-2293 Fax

From: "Jansen, David" <David.Jansen@Illinois.gov>

To: Debbie Keating/R5/USEPA/US@EPA

Date: 09/10/2010 09:38 AM

Subject: Nutronics

# Hello Ms. Keating:

Can you give me an update on the Nutronics case? Is there any chance the cleanup will not be done? If the USEPA cannot do the cleanup, I have to quickly proceed with a Violation Notice so I do not miss our statutory deadline for providing them with formal notice of all the RCRA storage facility violations. Thanks.

David C. Jansen Springfield Region Manager Field Operations Section Division of Land Pollution Control

Illinois Environmental Protection Agency Springfield Field Office Staff, MC # 10 1021 North Grand Ave. East P.O. Box 19276 Springfield, Illinois 62794-9276

217-557-8761 217-557-8728 (fax) David.Jansen@illinois.gov From: Keating.Debbie@epamail.epa.gov [
mailto:Keating.Debbie@epamail.epa.gov]
Sent: Monday, July 19, 2010 3:12 PM
To: Micke.Fredrick@epamail.epa.gov;
Turner.Thomas@epamail.epa.gov
Cc: Kawecki.Joseph@epamail.epa.gov; Jansen, David
Subject: Nutronics, Inc. Site - Access Agreement

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### Fred & Tom:

Joe took the Access Agreement with him to Springfield last week when he talked to Mr. & Mrs. Darran. They both signed the access agreement on July 15th. Fred, I understand from your voice mail that you are in the Gulf on the BP spill until July 27. I'll put the original in your mailbox.

Debbie

Debbie Keating | Superfund Division | Enforcement Services Section #1 | SE-5J | 312-353-7632



**RE: Nutronics** 

Jansen, David to: Debbie Keating Cc: "Purseglove, Paul", "Everetts, Bruce"

, "Wagner, Mark"

09/10/2010 11:37 AM

From:

"Jansen, David" < David. Jansen@Illinois.gov>

To:

Debbie Keating/R5/USEPA/US@EPA,

Cc:

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<Bruce.Everetts@Illinois.gov>, "Wagner, Mark" <Mark.Wagner@Illinois.gov>

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Illinois Environmental Protection Agency Springfield Field Office Staff, MC # 10 1021 North Grand Ave. East P.O. Box 19276 Springfield, Illinois 62794-9276

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Debbie

Debbie Keating | Superfund Division | Enforcement Services Section #1 | SE-5J | 312-353-7632



Re: Nutronics

Thomas Turner to: Debbie Keating

09/10/2010 11:33 AM

From:

Thomas Turner/R5/USEPA/US

To:

Debbie Keating/R5/USEPA/US@EPA,

Excellent and helpful reply, Debbie. Thanks. Tom Turner LAN or 6-6613

Debbie Keating We are moving forward on the Site, things are pr... 09/10/2010 11:30:25 AM

From:

Debbie Keating/R5/USEPA/US

To:

"Jansen, David" < David. Jansen@Illinois.gov>

Cc:

FREDRICK MICKE/R5/USEPA/US@EPA, Thomas Turner/R5/USEPA/US@EPA, JOSEPH

KAWECKI/R5/USEPA/US@EPA

Date:

09/10/2010 11:30 AM

Subject:

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Debbie Keating, Enforcement Specialist Enforcement Services Section #1 Superfund Division 77 West Jackson Boulevard, SE-5J Chicago, IL 60604 (312) 353-7632 Phone (312) 408-2293 Fax

"Jansen, David"

Hello Ms. Keating: Can you give me an update o...

09/10/2010 09:38:42 AM



Re: Nutronics, Inc. Site 🗎

Thomas Turner to: Debbie Keating

08/17/2010 07:47 AM

From:

Thomas Turner/R5/USEPA/US

To:

Debbie Keating/R5/USEPA/US@EPA,

History:

This message has been replied to.

Debbie: That all sounds okay to me. Except, do you consider Springfield, IL close by? I guess that my perspective is more or less, if it is as close as (or closer than) Madison or Milwaukee (WI), it is close by. Oh well...

**Debbie Keating** 

Thanks, Fred. Let us know when your site asse...

08/17/2010 07:38:54 AM

From:

Debbie Keating/R5/USEPA/US

To:

FREDRICK MICKE/R5/USEPA/US@EPA

Cc:

JOSEPH KAWECKI/R5/USEPA/US@EPA. Thomas Turner/R5/USEPA/US@EPA

Date: Subject: 08/17/2010 07:38 AM Re: Nutronics, Inc. Site

Thanks, Fred. Let us know when your site assessment gets scheduled (I might visit the Site that day if possible - maybe Tom would like to as well since it's close by?)

I'll hold off on the GN for now till things get moving again. Give me about a week notice for the enforcement addendum. Be safe wherever you are.

Debbie Keating, Enforcement Specialist Enforcement Services Section #1 Superfund Division 77 West Jackson Boulevard, SE-5J Chicago, IL 60604 (312) 353-7632

# -----FREDRICK MICKE/R5/USEPA/US wrote: -----

To: Debbie Keating/R5/USEPA/US@EPA From: FREDRICK MICKE/R5/USEPA/US

Date: 08-16-2010 3:43 PM

cc: JOSEPH KAWECKI/R5/USEPA/US@EPA, Thomas Turner/R5/USEPA/US@EPA

Subject: Re: Nutronics, Inc. Site

Yes, I do plan do perform a Site Assessment. I would like to keep the sampling numbers to the minimum needed because of the extensive work that IEPA did. I plan on using our data and the IEPA data in the Action Memo.

Yes, the Site Assessment will have to be done after Sept. 1. Likely after Sept. 16, because Steve Faryan and myself are teaching a class Sept 13 - 16. Nutronics, Inc. Site

Re: Nutronics, Inc. Site

# Nutronics, Inc. Site

**Debbie Keating** 

to: FREDRICK MICKE

08/16/2010 11:08 AM

Cc: Thomas Turner, JOSEPH KAWECKI.

# Fred,

Do you still plan to do a site assessment to confirm what IEPA found? If so, when do you think you'll do it (obviously it will be after Sept. 1)?

The reason I am asking is because right now we are only sending a 104(e) letter to the Darrans. I'm not sure we are formally ready to send a general notice yet. When you get back in the office, we should perhaps all talk again about the next steps (Action Memo, GN, etc.). Let me know when things settle down for you enough to have a meeting/call and I can set something up.

# Debbie

Debbie Keating, Enforcement Specialist Enforcement Services Section #1 Superfund Division 77 West Jackson Boulevard, SE-5J Chicago, IL 60604 (312) 353-7632 Phone (312) 408-2293 Fax

Re: Nutronics, Inc. Site



Re: Fw: Darran interview Thomas Turner to: Debbie Keating

Cc: FREDRICK MICKE, JOSEPH KAWECKI

07/20/2010 10:05 AM

Thanks. The 104e can essentially emphasize financial ability to pay. I do not see any signs of hidden PRPs here. -TomT.

Nice job by Joe. As Joe gets copies of deeds, etc. to m... **Debbie Keating** 07/20/2010 09:46:19 AM

From:

Debbie Keating/R5/USEPA/US

To: Thomas Turner/R5/USEPA/US, FREDRICK MICKE/R5/USEPA/US

Cc:

JOSEPH KAWECKI/R5/USEPA/US

Date:

07/20/2010 09:46 AM

Subject:

Fw: Darran interview

Nice job by Joe. As Joe gets copies of deeds, etc. to me, I'll be drafting a combination general notice/104(e) letter.

Debbie Keating | Superfund Division | Enforcement Services Section #1 | SE-5J | (312) 353-7632

----Forwarded by Debbie Keating/R5/USEPA/US on 07-20-2010 9:44 AM -----

To: Debbie Keating/R5/USEPA/US@EPA From: JOSEPH KAWECKI/R5/USEPA/US

Date: 07-20-2010 8:39 AM Subject: Darran interview

7/15/10

Met with Mr Darran and his wife. Mr Darran was in good health except for an occasional slurring of his speech due to his stroke. He provided the following information:

Capital Engraving was started by his father in 1960 at a different location. In 1966 they moved to the current location and leased the property from Ina Mae Yucus who previously operated a tavern at that location. In March 1980 his father bought the property from Ina Mae. The company did well having 17 employees at its height until the mid 2000's. At this time the economy, labor issues and other problems caused business to decline. Mr Darran had his stroke around the time they stopped operating in 2007. At this time Darran sold his customer list to Sierra Midwest Inc and sold some of his tooling and films to another company, neither operated at this location or bought any portion of the real estate. Darran believes that any chemicals still in the building amounts to 15/20 5 gallon containers and perhaps 2 1/2 drums of copper solution. All should be on the first floor in a room to the left just inside the rear entry. The basement should be empty except for the furnace and the third floor is storage for the film. Mr Darran stated that there are no underground storage tanks on the property. He said he did not know when the building was built but believes it may have been in the 1920's. It was used for several businesses including Ina's tavern, a hardware store and maybe a cleaners in the late 20's early 30's.

RE: Nutronics, Inc. Site

Jansen, David

to:

Debbie Keating 07/13/2010 12:42 PM

Cc:

"Everetts, Bruce", "Wagner, Mark", "Purseglove, Paul"

**Show Details** 

Let me know if you need anything. Thanks.

From: Keating.Debbie@epamail.epa.gov [mailto:Keating.Debbie@epamail.epa.gov]

Sent: Tuesday, July 13, 2010 12:19 PM

To: Jansen, David

Cc: Turner.Thomas@epamail.epa.gov; Micke.Fredrick@epamail.epa.gov; Kawecki.Joseph@epamail.epa.gov

Subject: Nutronics, Inc. Site

Dave,

Just an enforcement update on the Site. I wanted to let you know that our Region 5 Civil Investigator, Joe Kawecki, is planning a trip to Springfield this week to talk to the Darrans and conduct an enforcement investigation. We haven't yet issued a General Notice of Potential Liability letter, which me must do prior to the removal action. The General Notice gives the potentially responsible parties the opportunity to perform the removal action before we do a fund-lead removal. We do plan to issue it in the near future, once we have reviewed Joe's findings and confirm who the potentially responsible parties are.

Debbie Keating | Superfund Division | Enforcement Services Section #1 | SE-5J | (312) 353-7632

Debbie Keating | Superfund Division | Enforcement Services Section #1 | SE-5J |.(312) 353-7632

-----"Jansen, David" < David.Jansen@Illinois.gov > wrote: ----

To: Debbie Keating/R5/USEPA/US@EPA

From: "Jansen, David" < David. Jansen@Illinois.gov>

Date: 07-01-2010 2:49 PM

cc: "Everetts, Bruce" <Bruce.Everetts@Illinois.gov>, "Wagner, Mark"

<Mark.Wagner@Illinois.gov>

Subject: Nutronics info

Hello Debbie:

Per our conversation today, I attached the Sangamon County property tax records for both the Darran properties, taken from: <a href="http://tax.co.sangamon.il.us/SangamonCountyWeb/app/searchByParcelNumber.action">http://tax.co.sangamon.il.us/SangamonCountyWeb/app/searchByParcelNumber.action</a>

They listed Albert as a Junior for the Peoria Road property but not for the Bel Aire Drive property. I can't explain that discrepancy. These records provide the specific parcel numbers which should help with any deed searches and full legal descriptions for the properties.

Also attached are the Health & Safety Plan which has a brief Project History and Summary, and the IL Secretary of State Corporation File Detail Report.

If you need anything else, let me know.

David C. Jansen

Springfield Region Manager

Field Operations Section

Division of Land Pollution Control

Illinois Environmental Protection Agency

Springfield Field Office Staff, MC # 10

1021 North Grand Ave. East

P.O. Box 19276

Springfield, Illinois 62794-9276

Fw: Nutronics info (from IEPA)

Debbie Keating

to:

JOSEPH KAWECKI 07/13/2010 11:59 AM

Cc:

Thomas Turner, FREDRICK MICKE

**Show Details** 

Joe.

A copy of the letter sent to the Darrans by IEPA in late June. Please note that the full name of the business that last operated at the Site is "Capitol Engraving & Nutronics, Inc.".

Debbie Keating | Superfund Division | Enforcement Services Section #1 | SE-5J | (312) 353-7632

---Forwarded by Debbie Keating/R5/USEPA/US on 07-13-2010 11:56 AM ----

To: Debbie Keating/R5/USEPA/US@EPA

From: "Jansen, David" < David. Jansen@Illinois.gov>

Date: 07-01-2010 3:47 PM Subject: RE: Nutronics info

He should be aware of your pending involvement, based on the attached letter we sent him. He has not responded to the letter via phone or mail.

From: Keating.Debbie@epamail.epa.gov [mailto:Keating.Debbie@epamail.epa.gov]

**Sent:** Thursday, July 01, 2010 3:11 PM

To: Jansen, David

Cc: Everetts, Bruce; Wagner, Mark; Turner.Thomas@epamail.epa.gov; Micke.Fredrick@epamail.epa.gov

Subject: Re: Nutronics info

Dave,

Thanks very much for your quick response. Fred Micke, Tom Turner (Associate Regional Counsel), and I will look these over. As I mentioned to you, we are also in the process of having a Region 5 Civil Investigator assigned to help us gather responsible party information. Most likely the CI will also interview the Darrans, based upon your recommendation that a letter requesting information would not be as effective.

Fw: Nutronics info Debbie Keating

to:

JOSEPH KAWECKI - 07/13/2010 11:55 AM

Cc:

Thomas Turner, FREDRICK MICKE

**Show Details** 

Joe,

Here is some information that was sent to us by IEPA to help you with your investigation.

Debbie Keating | Superfund Division | Enforcement Services Section #1 | SE-5J | (312) 353-7632

-----Forwarded by Debbie Keating/R5/USEPA/US on 07-13-2010 11:53 AM -----

To: Thomas Turner/R5/USEPA/US, FREDRICK MICKE/R5/USEPA/US

From: Debbie Keating/R5/USEPA/US

Date: 07-01-2010 3:21 PM Subject: Fw: Nutronics info

Thought I had forwarded Dave's response to both of you as well, but it looks like your names got dropped off.

Debbie Keating | Superfund Division | Enforcement Services Section #1 | SE-5J | (312) 353-7632

----Forwarded by Debbie Keating/R5/USEPA/US on 07-01-2010 3:19 PM ----

To: "Jansen, David" < David. Jansen@Illinois.gov>

From: Debbie Keating/R5/USEPA/US

Date: 07-01-2010 3:11 PM

cc: "Everetts, Bruce" <Bruce.Everetts@Illinois.gov>, "Wagner, Mark" <Mark.Wagner@Illinois.gov>, Thomas

Turner/R5/USEPA/US@EPA, FREDRICK MICKE/R5/USEPA/US@EPA

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Date: 07-01-2010 2:49 PM

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Field Operations Section

Division of Land Pollution Control

Illinois Environmental Protection Agency

Springfield Field Office Staff, MC # 10

1021 North Grand Ave. East

P.O. Box 19276

Springfield, Illinois 62794-9276

217-557-8761

217-557-8728 (fax)

Nutronics, Inc. Site - CI Update Debbie Keating to: Thomas Turner, FREDRICK MICKE 07/13/2010 11:46 AM Show Details

Hi Tom & Fred,

Joe Kawecki is heading to Springfield later this week to interview the Darrans. This afternoon he and I plan to go over what he needs to focus on for purposes of the general notice letter, orders, settlements, and cost recovery. Please let me know if there is anything I have missed that you would like him to look into during his trip.

- + Obtain copies of title documents (deeds, &c.) for the Site property, including any past owners.
- + If possible, investigate any assets Nutronics, Inc. (or the Darrans, if they were operators) might have.
- + Ask about operators at the Site and the day-to-day role of the Darrans.
- + Look into any bankruptcies filed & obtain current status.
- + Ask whether generators/transporters contributed to what is now a threat.
- + Explain we will need them to confirm the assets/liabilities of Nutronics, Inc. (and their own, if they are operators); most likely by 104(e).
- + Find out who Albert Durran, Jr. is and why he is on some of the title records for the Site property. Is Albert J. Darran and Albert J. Darran, Jr. the same person?
- + Get copies of Articles of Incorporation &c. for Nutronics, Inc.
- + Get information about the 8/19/1999 Executors Deed for the Site property and obtain a copy if possible.

Debbie Keating | Superfund Division | Enforcement Services Section #1 | SE-5J | (312) 353-7632



RE: Nutronics info

**Debbie Keating** to: Jansen, David Cc: FREDRICK MICKE, Thomas Turner 07/01/2010 04:01 PM

Dave.

Thanks for forwarding the letter.

Debbie Keating | Superfund Division | Enforcement Services Section #1 | SE-5J | (312) 353-7632

-----"Jansen, David" <David.Jansen@Illinois.gov> wrote: -----

To: Debbie Keating/R5/USEPA/US@EPA

From: "Jansen, David" < David.Jansen@Illinois.gov>

Date: 07-01-2010 3:47 PM Subject: RE: Nutronics info

He should be aware of your pending involvement, based on the attached letter we sent him. He has not responded to the letter via phone or mail.

From: Keating.Debbie@epamail.epa.gov [mailto:Keating.Debbie@epamail.epa.gov]

Sent: Thursday, July 01, 2010 3:11 PM

To: Jansen, David

Cc: Everetts, Bruce; Wagner, Mark; Turner.Thomas@epamail.epa.gov; Micke.Fredrick@epamail.epa.gov

Subject: Re: Nutronics info

Dave,

Thanks very much for your quick response. Fred Micke, Tom Turner (Associate Regional Counsel), and I will look these over. As I mentioned to you, we are also in the process of having a Region 5 Civil Investigator assigned to help us gather responsible party information. Most likely the CI will also interview the Darrans, based upon your recommendation that a letter requesting information would not be as effective.

Debbie Keating | Superfund Division | Enforcement Services Section #1 | SE-5J | (312) 353-7632

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To: Debbie Keating/R5/USEPA/US@EPA

From: "Jansen, David" < David. Jansen@Illinois.gov>

Date: 07-01-2010 2:49 PM

cc: "Everetts, Bruce" <Bruce.Everetts@Illinois.gov>, "Wagner, Mark"

<Mark.Wagner@Illinois.gov>

Subject: Nutronics info

Hello Debbie:

Per our conversation today, I attached the Sangamon County property tax records for both the Darran properties, taken from:

http://tax.co.sangamon.il.us/SangamonCountyWeb/app/searchByParcelNumber.action

They listed Albert as a Junior for the Peoria Road property but not for the Bel Aire Drive property. I can't explain that discrepancy. These records provide the specific parcel numbers which should help with any deed searches and full legal descriptions for the properties.

Also attached are the Health & Safety Plan which has a brief Project History and Summary, and the IL Secretary of State Corporation File Detail Report.

If you need anything else, let me know.

David C. Jansen

Springfield Region Manager

Field Operations Section

Division of Land Pollution Control

Illinois Environmental Protection Agency

Springfield Field Office Staff, MC # 10

1021 North Grand Ave. East

P.O. Box 19276

Springfield, Illinois 62794-9276



# Re: Neutronics, Inc. Superfund Site (IL)

Thomas Turner to: FREDRICK MICKE

Cc: Debbie Keating

06/23/2010 11:27 AM

That timing works for me. Also, think about whether we might need the assistance of a SF Civ. Investigator (for background/ownership/operation issues involving the PRP and/or Site facility). If you think that we might, please let Debbie or myself know. Thanks. Tom Turner LAN or 6-6613

FREDRICK MICKE I am out in the field the rest of this week. Let's get tog... 06/23/2010 11:23:48 AM

From:

FREDRICK MICKE/R5/USEPA/US

To: Cc: Thomas Turner/R5/USEPA/US@EPA Debbie Keating/R5/USEPA/US@EPA

Date:

06/23/2010 11:23 AM

Subject:

Re: Neutronics, Inc. Superfund Site (IL)

I am out in the field the rest of this week. Let's get together next week. I will set something up when I get back to the office on Monday.



# Re: Nutronics, Inc. - Bankruptcy info. of the Darrans

Thomas Turner to: Debbie Keating

11/03/2010 03:31 PM

I need to see it, but will come down and make a copy myself if it helps. More importantly, I just talked to Rick Nagle, ORC Bankruptcy expert. He concurs on what we are doing. Rick says the GNL should go to: 1) the Darrans; 2) the Bankruptcy trustee; and 3) the Clerk of the Bankruptcy Court. All by FedEx overnight. Also, we cannot put a past costs amount in the letter, because they may be exempt. We need to only have language about PRPs being potentially liable for past future response costs, without a specific demand for payment of an amount. I think the language is okay as is, but I will check it.

Thanks again, Debbie. Please let me know a good time to come down and make a copy (this p.m. or tomorrow anytime). -Tom T. LAN or 6-6613

Debbie Keating

I will, but it probably won't be until Friday. Will that b...

11/03/2010 03:24:02 PM

From:

Debbie Keating/R5/USEPA/US

To:

Thomas Turner/R5/USEPA/US@EPA

Date:

11/03/2010 03:24 PM

Subject:

Re: Nutronics, Inc. - Bankruptcy info. of the Darrans

I will, but it probably won't be until Friday. Will that be ok?

Debbie Keating, Enforcement Specialist Enforcement Services Section #1 Superfund Division 77 West Jackson Boulevard, SE-5J Chicago, IL 60604 (312) 353-7632 Phone (312) 408-2293 Fax

Thomas Turner

Debbie, when you get the chance, please do send me a...

11/03/2010 03:20:26 PM

RE: Nutronics info Jansen, David to: Debbie Keating 07/01/2010 03:47 PM Show Details

History: This message has been replied to and forwarded.

He should be aware of your pending involvement, based on the attached letter we sent him. He has not responded to the letter via phone or mail.

From: Keating.Debbie@epamail.epa.gov [mailto:Keating.Debbie@epamail.epa.gov]

Sent: Thursday, July 01, 2010 3:11 PM

To: Jansen, David

Cc: Everetts, Bruce; Wagner, Mark; Turner.Thomas@epamail.epa.gov; Micke.Fredrick@epamail.epa.gov

Subject: Re: Nutronics info

Dave,

Thanks very much for your quick response. Fred Micke, Tom Turner (Associate Regional Counsel), and I will look these over. As I mentioned to you, we are also in the process of having a Region 5 Civil Investigator assigned to help us gather responsible party information. Most likely the CI will also interview the Darrans, based upon your recommendation that a letter requesting information would not be as effective.

Debbie Keating | Superfund Division | Enforcement Services Section #1 | SE-5J | (312) 353-7632

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To: Debbie Keating/R5/USEPA/US@EPA

From: "Jansen, David" < David. Jansen@Illinois.gov>

Date: 07-01-2010 2:49 PM

cc: "Everetts, Bruce" <Bruce.Everetts@Illinois.gov>, "Wagner, Mark" <Mark.Wagner@Illinois.gov>

Subject: Nutronics info

### Hello Debbie:

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Also attached are the Health & Safety Plan which has a brief Project History and Summary, and the IL Secretary of State Corporation File Detail Report.

If you need anything else, let me know.

David C. Jansen Springfield Region Manager Field Operations Section Division of Land Pollution Control

Illinois Environmental Protection Agency Springfield Field Office Staff, MC # 10 1021 North Grand Ave. East P.O. Box 19276 Springfield, Illinois 62794-9276

217-557-8761 217-557-8728 (fax) David.Jansen@illinois.gov



Nutronics, Inc. Site - CI Request Debbie Keating to: WILLIAM MESSENGER

07/01/2010 03:38 PM

Thomas Turner, FREDRICK MICKE Show Details

Bill,

The Nutronics, Inc. team is requesting a CI be assigned to the Nutronics, Inc. Site in Springfield, IL. This Site was referred by IEPA which already performed an extensive site assessment this past spring. There is little doubt that it will qualify as a removal action, and preliminary information obtained from IEPA indicates it will likely be fund-lead.

We would need the CI to possibly obtain title documents from Springfield, investigate any assets of the current owners, investigate any other owners or operators at the Site, and interview the current owners for information in lieu of sending a 104(e). The current owners are husband & wife; he is in his 70's and recently had a stroke. His wife may be able to help provide information. Thanks!

Debbie

Debbie Keating | Superfund Division | Enforcement Services Section #1 | SE-5J | (312) 353-7632



# Nutronics Superfund Site (IL) - Mailing Address for Mr. & Mrs. Darran

Thomas Turner to: FREDRICK MICKE, Debbie Keating

07/01/2010 03:24 PM

History:

This message has been replied to.

# Debbie and Fred,

I suspect that (according to the Sangamon County Property Tax Records that D. Jansen of IEPA sent us), we will need to mail the Letter and Request form for Access again. We had the correct address for the Darrans, in terms of their property, but it appears that they have arranged for a 2010-2011 mailing address to a Post Office Box.

Debbie, would you please make a copy (1-sided for each specific document), and mail them to: 'Albert J. and Sharon A. Darran, P.O. Box 1385, Springfield, IL 62705-1385'. Thanks. Tom Turner LAN or 6-6613

Fw: Nutronics info Debbie Keating to: Thomas Turner, FREDRICK MICKE 07/01/2010 03:21 PM **Show Details** 

Thought I had forwarded Dave's response to both of you as well, but it looks like your names got dropped off.

Debbie Keating | Superfund Division | Enforcement Services Section #1 | SE-5J | (312) 353-7632

----Forwarded by Debbie Keating/R5/USEPA/US on 07-01-2010 3:19 PM -----

To: "Jansen, David" < David. Jansen@Illinois.gov>

From: Debbie Keating/R5/USEPA/US

Date: 07-01-2010 3:11 PM

cc: "Everetts, Bruce" <Bruce Everetts@Illinois.gov>, "Wagner, Mark" <Mark.Wagner@Illinois.gov>, Thomas

Turner/R5/USEPA/US@EPA, FREDRICK MICKE/R5/USEPA/US@EPA

Subject: Re: Nutronics info

Dave,

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From: "Jansen, David" < David. Jansen@Illinois.gov>

Date: 07-01-2010 2:49 PM

cc: "Everetts, Bruce" <Bruce.Everetts@Illinois.gov>, "Wagner, Mark" <Mark.Wagner@Illinois.gov>

Subject: Nutronics info 3/17/2010 IEPA Health + Safety Plan and

Attachment:

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David C. Jansen

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Field Operations Section

Division of Land Pollution Control

Illinois Environmental Protection Agency

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1021 North Grand Ave. East

P.O. Box 19276

Springfield, Illinois 62794-9276

217-557-8761

217-557-8728 (fax)

David.Jansen@illinois.gov





Re: Nutronics info

Debbie Keating to: Jansen, David

Cc: "Everetts, Bruce", "Wagner, Mark", Thomas Turner, FREDRICK MICKE

07/01/2010 03:11 PM

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From: "Jansen, David" < David. Jansen@Illinois.gov>

Date: 07-01-2010 2:49 PM

cc: "Everetts, Bruce" <Bruce.Everetts@Illinois.gov>, "Wagner, Mark" <Mark.Wagner@Illinois.gov>

Subject: Nutronics info

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217-557-8728 (fax)

David Jansen@illinois.gov



Nutronics info Jansen, David to: Debbie Keating 07/01/2010 02:50 PM Cc: "Everetts, Bruce", "Wagner, Mark" Show Details

History: This message has been replied to. Hello Debbie:

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Illinois Environmental Protection Agency Springfield Field Office Staff, MC # 10 1021 North Grand Ave. East P.O. Box 19276 Springfield, Illinois 62794-9276

217-557-8761 217-557-8728 (fax) David.lansen@illinois.gov





Re: Nutronics, Inc. Site

Thomas Turner to: Debbie Keating

Cc: FREDRICK MICKE

07/01/2010 02:38 PM

#### Thanks Debbie.

Debbie Keating Fred & Tom: 07/01/2010 02:36:39 PM

From:

Debbie Keating/R5/USEPA/US

To:

FREDRICK MICKE/R5/USEPA/US, Thomas Turner/R5/USEPA/US

Date: Subject: 07/01/2010 02:36 PM Nutronics, Inc. Site

# Fred & Tom:

I just got through talking to Dave Jansen, IEPA, about Site background, ownership, and documents mentioned in IEPA's May 19, 2010 memo that we need copies of. Fred, Dave said he had just talked to you and you had asked for Albert ("Bud") Durran's phone number. He said to tell you it is 217-529-3898. Dave likely mentioned to you that Bud suffered a stroke at some point and his speech has been affected.

- Dave said he will send copies of the Project History & Summary and a property record from Sangamon County, that were both referenced in IEPA's May memo.
- IEPA did not look into the Darran's financial viability; they just talked to Bud who told them he couldn't clean up the building and couldn't sell it in its current state.
- Bud is in his 70's and lives in a modest 1950's-type house with his wife Sharon at 22 Bel Aire Drive in Springfield. They have lived in the same house for quite a while.
- At the time EPA talked to Bud, he was working a part time job from 5-9 a.m. for some sort of Manpower business; Dave thought delivering papers or something.
- The business name is Capitol Engraving & Nutronics, Inc.; called Nutronics for simplicity.
- The business ceased operating in 2007 and the building has been sitting unused since then.
- Dave will e-mail what he can find that might be helpful for our PRP search.
- IEPA told the Durrans that they would be forwarding the Site to us.
- Dave was very appreciative of our help.

I'll forward whatever Dave sends me to both of you.

D	e	b	b	ĺ	e	

Debbie Keating | Superfund Division | Enforcement Services Section #1 | SE-5J | (312) 353-7632